

MESSAGE NO: 0102301 MESSAGE DATE: 04/12/2010

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 75 FR 10464 FR CITE DATE: 03/08/2010

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-475-818

EFFECTIVE DATE: 03/08/2010 COURT CASE #:

PERIOD OF REVIEW: 07/01/2008 TO 06/30/2009

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW OF  
ANTIDUMPING DUTY ORDER OF CERTAIN PASTA FROM ITALY

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN PASTA FROM ITALY A-475-818, COVERING THE PERIOD 07/01/2008 THROUGH 06/30/2009, HAS BEEN RESCINDED FOR THE FIRM(S) LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRM(S):

COMPANY: DOMENCIO PAONE FU ERASMO

CASE NUMBER: A-475-818-052

COMPANY: FASOLINO FOODS COMPANY/EURO-AMERICAN FOODS GROUPS, INC.

COMPANY: INDUSTRIA ALIMENTARE COLAVITA S.P.A (INDALCO)

CASE NUMBER: A-475-818-029:

COMPANY: PASTA LENSI S.R.L.

CASE NUMBER: A-475-818-037:

COMPANY: PAM S.P.A. (PAM)

CASE NUMBER: A-475-818-034:

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 07/01/2008 THROUGH 06/30/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF RESCISSION OF ADMINISTRATIVE REVIEW 75 FR 10464, DATED MARCH 8, 2010. FOR ALL OTHER SHIPMENTS OF CERTAIN PASTA FROM ITALY YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING

DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATIONS. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O3:VC).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

FLORENCE CONSTANT

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-475-818-000		E		FASOLINO FOODS COMPANY/EUR O-AMERICAN FOODS GROUPS, INC.
A-475-818-029		E		INDUSTRIA ALIMENTARE COLAVITA S.P.A (INDALCO)
A-475-818-034		E		P.A.M. S.P.A. (FORMERLY P.A.M. S.R.L.)
A-475-818-037		E		PASTA LENSI S.R.L. (aka ITALIAN AMERICAN PASTA CO.)
A-475-818-052		E		DOMENCIO PAONE FU ERASMO